

**IN THE MICHIGAN COURT OF APPEALS**  
**ORDER**

Re: **Daniel A Pacheco v Barney R Whitesman**  
Docket No. **289370**  
L.C. No. **08-088954 NM**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed on December 10, 2008, is **DISMISSED** for lack of jurisdiction because the lower court had not entered an order denying a motion for reconsideration before appellant filed the claim; thus, the claim is premature. MCR 7.204(A)(1)(b).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 5 2009

Date

*Sandra Schultz Mengel*  
Chief Clerk